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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

In re: NATIONAL SECURITY AGENCY TELECOMMUNICATIONS RECORDS LITIGATION	MDL Dkt. No. 06-1791-VRW **STIPULATION AND [PROPOSED] ORDER TO EXTEND TIME FOR BELLSOUTH DEFENDANTS TO RESPOND TO CONSOLIDATED COMPLAINT**
This Document Relates To: 06-5343-VRW 06-5485-VRW 06-5576-VRW 06-6253-VRW 07-0464-VRW *Mayer v. Verizon Communications, Inc., et al.*, No. 06-3650 (S.D.N.Y.) (N.D. Cal. case no. not yet assigned)	[Civil L.R. 6-2, 7-1(a)(5), 7-12] Courtroom: 6, 17th Floor Judge: Hon. Vaughn R. Walker

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RECITALS

A. On January 16, 2007, the plaintiffs in *Herron*, 06-5343-VRW; *Joll*, 06-5485; *Conner*, 06-5576; *Derosier*, 06-6253-VRW; *Lebow*, 07-0464-VRW; and *Mayer v. Verizon Communications, Inc., et al.*, No. 06-3650 (S.D.N.Y.) (N.D. Cal. case no. not yet assigned) ("BellSouth Plaintiffs") filed a "Master Consolidated Complaint Against Defendant 'BellSouth' for Damages, Declaratory and Equitable Relief" ("BellSouth Consolidated Complaint"). Dkt. 126.

B. On January 16, 2007, plaintiffs filed consolidated complaints against Cingular defendants, Sprint defendants, the Verizon/MCI defendants and several miscellaneous defendants. *See* Dkts. 121, 123, 124, 125.

C. On February 20, 2007, this Court entered an Order holding, *inter alia*, "If in any case the parties fail to file a stipulation for stay on or before March 8, 2007, defendants shall answer or otherwise respond to the complaint in such case not later than March 29, 2007." Dkt. 172.

D. The parties to the Sprint and Cingular consolidated complaints have agreed to a stay of those cases. *See* Dkts. 163, 177. All of the miscellaneous defendants have been dismissed from this MDL. *See* Dkts. 162, 164, 184 and 185.

E. Under the Court's Order of February 20, 2007 (Dkt. 172), responses to the BellSouth Consolidated Complaint and the Verizon/MCI consolidated complaint against (Dkt. 125) are currently due on March 29, 2007.

F. The BellSouth Plaintiffs and Defendants have consulted regarding a stipulation with respect to the dates on which the BellSouth Defendants should file an answer or otherwise respond to the BellSouth Consolidated Complaint. Because resolution of motions to dismiss the Verizon/MCI Consolidated Complaint could materially impact briefing of the BellSouth Consolidated Complaint, and because the BellSouth Consolidated Complaint also may present different factual and legal issues, the BellSouth Plaintiffs and Defendants believe that it would be most efficient and economical of party and judicial resources for the BellSouth Defendants' motion to dismiss to be briefed and heard on a different, later schedule than the motion to dismiss the Verizon/MCI Consolidated Complaint that the Verizon/MCI Defendants intend to file.

G. To avoid simultaneous briefing, and in furtherance of judicial economy, the Bellsouth Plaintiffs and Defendants therefore agree to extend the time to answer or otherwise respond to the BellSouth Consolidated Complaint as set forth below.

STIPULATION

The BellSouth Plaintiffs and Defendants hereby stipulate that the BellSouth Defendants may have until the latter of the following dates to answer or otherwise respond to the BellSouth Consolidated Complaint:

1. May 29, 2007.

2. Twenty-eight days after the Court decides any motion to dismiss the Master Consolidated Complaint Against MCI Defendants and Verizon Defendants (Dkt. 125) brought by any defendant named by Dkt. 125.

Dated: March 12, 2007.

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By *_____/s/ Bruce A. Ericson_____*
Bruce A. Ericson

Attorneys for the BellSouth Defendants

DECLARATION PURSUANT TO GENERAL ORDER 45, § X.B

I, BRUCE A. ERICSON, hereby declare pursuant to General Order 45, § X.B, that I have obtained the concurrence in the filing of this document from each of the other signatories listed below.

I declare under penalty of perjury that the foregoing declaration is true and correct.

Executed on March 12, 2007, at San Francisco, California.

/s/ Bruce A. Ericson
Bruce A. Ericson

Dated: March 12, 2007

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By /s/ *Val Patrick Exnicios per G.O. 45*
Val Patrick Exnicios

Attorneys for BellSouth Plaintiffs

[PROPOSED] ORDER

Pursuant to the foregoing Stipulation, and good cause appearing,

IT IS HEREBY ORDERED that the BellSouth Defendants shall have until the latter of the following dates to answer or otherwise respond to the BellSouth Consolidated Complaint:

1. May 29, 2007.

2. Twenty-eight days after the Court decides any motion to dismiss the Master Consolidated Complaint Against MCI Defendants and Verizon Defendants (Dkt. 125) brought by any defendant named by Dkt. 125.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: March __, 2007.

____
Hon. Vaughn R. Walker
United States District Chief Judge